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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

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United States of America,

§

Plaintiff,

§

vs.

§

Civil Action H-18-2049  
(CDCS: 2018A39643)

§

Teakwood Enterprises, Inc.,  
d/b/a Teakwood Landscaping

§

§

§

§

§

Defendant.

§

§

## Complaint

1. *Jurisdiction.* The district court has jurisdiction because the United States is a party. *See* U.S. CONST., art III, § 2, and 28 U.S.C. § 1345.
2. *Venue.* The principal place of business of defendant is in Harris County, Texas, and it may be served with process by serving its agent, representative and/or owner, Billie Forney, at 11351 Jones Road West, Suite C, Houston, Texas 77065.
3. *The Debt.* The debt owed to the United States arose through a 2016 U.S. Department of Labor, Employment Standards Administration (ESA) investigation debtor's wage and hour records that identified violations of overtime backwage pay standards under the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq, that affected forty-two of debtor's employees for the period of May 2014 through May 2016, see Exhibit A.

The debt on the date of the Certificate of Indebtedness, Exhibit B, was:

A.	Current principal	\$	53,586.52
B.	Interest (capitalized and accrued)	\$	844.17

C.	Administrative fees, costs, penalties (Including \$400.00 Filing fee)	\$	25,498.12
D.	Balance due	\$	<u>79,928.81</u>

E. Prejudgment interest accrues at 1% per annum being \$1.47 per day.

F. The current principal in paragraph 3 A is after credits of \$0.00.

4. *Default.* The United States has demanded that the defendant pay the indebtedness, and the defendant has failed to pay it.

5. *Prayer.* The United States prays for judgment for:

- A. The sums in paragraph 3, pre-judgment interest, administrative costs, and post-judgment interest.
- B. Attorney's fees; and,
- C. Other relief the court deems proper.

Respectfully submitted,

CERSONSKY, ROSEN & GARCÍA, P.C.

By: 

M. H. Cersonsky, TBN: ~~84048500~~  
1770 St. James Place, Suite 150  
Houston, Texas 77056  
Telephone: (713) 600-8500  
Fax: (713) 600-8585

Attorneys for Plaintiff

For Important Information About This Lawsuit Please See Next Page.

## **Federal Court Suit**

- 1. You have been served in a lawsuit.**
- 2. If you dispute the debt in it, you must file a written response to the lawsuit with the court and the government's lawyer. If you do not, a default judgment will be taken against you.**
- 3. Your written response is due 21 days after the day you got the lawsuit papers.**
- 4. Mail your written response to:**

**Clerk  
United States District Court  
P.O. Box 61010  
Houston, Texas 77208**

**and send a copy to the lawyers for the United States at:**

**M. H. Cersonsky  
Cersonsky, Rosen & García, P.C.  
1770 St. James Place, Suite 150  
Houston, Texas 77056**

**Be sure to put your case number and name on your response.**

- 5. If you do not dispute the debt claimed in the lawsuit and want a payment plan, please contact Eddith Salazar at (713) 600-8500.**

## BACKWAGE FINANCIAL SYSTEM

## Unpaid Employee Listing

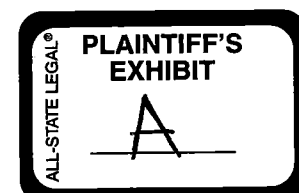
REGION: Southwest Regional Office

RUN DATE: 03/08/2017

Case #	Employer Name	EIN	ER City	ER State	Disbursing Office
1788982	Teakwood Landscaping	43-5963045	Houston	TX	Southwest Regional

Employee Name	EE Street	EE City	EE State	EE Zip	Unpaid Balance
Alvarado Alberto					\$127.38
Batalla Elguin					\$2,044.92
Benitez Julio					\$2,405.08
Bernal Jesus					\$4,054.32
Bumpers Nicholas					\$92.98
Carillo Jose					\$6,863.24
Carrasquel Andrian					\$151.82
Covos-Mata Roberto					\$415.72
Cua Jose					\$997.20
Fitzpatrick Travell					\$392.20
Flores Harold					\$2,043.28
Garcia-Vasquez Domingo					\$502.28
Gutierrez Andres					\$128.78
Huerta Adelaido					\$1,032.96
Jaime Cristino					\$452.90
Jaime-Rivera Ramiro					\$2,958.48
Jimenez Jonathan	11108 Timber Crest Dr.	Houston	TX	77065	\$3,339.56
Luttrillo Claudio					\$564.22
Mendoza John					\$479.22
Mendoza Jose					\$3,801.50
Mongo Erik					\$280.46
Montes de Oca Fernando	13725 Cambury Drive,	Houston	TX	77014	\$213.26
Munoz Horacio					\$3,370.52
Navarro Rafael					\$100.28
Ortega Jr. Esteban					\$1,059.34
Ortiz Jose					\$4,059.06
Pena Junior					\$262.06
Perez Jorge					\$410.32
Perez Luis					\$104.94
Renderos Fidel					\$932.28
Reyes Israel					\$222.98
Rios-Mundo Gehilio					\$1,409.58
Rivas Mario					\$117.04
Robledo Ivan					\$304.32
Robledo Jose					\$392.46



Sanchez Jose	\$316.92
Sanchez Jose	\$2,015.90
Sanchez Victor	\$3,871.02
Tadeo Ricardo	\$637.74
Trevino Donald	\$335.88
Velasquez Ronal	\$70.30
Zaynla Michael	\$251.82

		Unpaid
<b>Total</b>	<b>Number of EEs</b>	<b>Balance</b>
	42	\$53,586.52



DEPARTMENT OF THE TREASURY  
BUREAU OF THE FISCAL SERVICE  
WASHINGTON, DC 20227

ACTING ON BEHALF OF  
U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and  
Address (es):

Teakwood Enterprises, Inc. (d.b.a. Teakwood Landscaping)  
11351 Jones Road West, Suite C  
Houston, TX 77065

**Total debt due United States as of May 8, 2018:**

Principal: \$53,586.52  
Interest (@1.0%,): \$ 844.17  
Penalty (@6.0%,): \$ 4,880.04  
Admin.: \$ 30.00  
Treasury & DOJ fees: \$20,188.08  
(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6), and 28 U.S.C. 527)  
TOTAL: \$79,528.81

I certify that the U. S. Department of Labor, Employment Standards Administration (ESA) records show that the debtor named above is indebted to the United States in the amount stated above.

The claim arose in connection with a 2016 U.S. Department of Labor, Employment Standards Administration (ESA) investigation of debtor's wage and hour records that identified violations of overtime backwage pay standards under the Fair Labor Standards Act of 1938, 29 U.S.C. 201, et seq, that affected forty-two of debtor's employees for the period of May 2014 through May 2016.

**CERTIFICATION:** Pursuant to 28 USC ss. 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U. S. Department of Labor, Employment Standards Administration.

Date:

5/8/2018

A handwritten signature in black ink, appearing to read "Regina Crisafulli", is written over a horizontal line.

Regina Crisafulli  
Financial Program Specialist  
U.S. Department of the Treasury  
Bureau of the Fiscal Service

